

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jiliang TANG et al.

Application No.: 10/581,099

Filed: (Int'l) December 1, 2004

For: A GENE ENCODING
PHOSPHOENOLPYRUVATE SYNTHASE
FOR PLANT PROTECTION (AS AMENDED)

Confirmation No.: 5385

Art Unit: 1638

Examiner: Medina A. Ibrahim

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is responsive to the non-final Office Action dated September 18, 2008 and the second Notice of Non-Responsive Amendment dated January 14, 2009, for which a response is due on February 17, 2009 (February 14, 2009 falls on a Saturday, and Monday, February 16, 2009 is Washington's Birthday, a federal holiday). Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims beginning on page 3.

Remarks/Arguments begin on page 4 of this paper.